

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ANTHONY CROSS,)	3:13-cv-00433-MMD-WGC
)	
Plaintiff,)	<u>MINUTES OF THE COURT</u>
vs.)	
)	August 25, 2015
RON JAEGER, et al.,)	
)	
Defendants)	
_____)	

PRESENT: THE HONORABLE WILLIAM G. COBB, U.S. MAGISTRATE JUDGE

DEPUTY CLERK: KATIE LYNN OGDEN REPORTER: NONE APPEARING

COUNSEL FOR PLAINTIFF(S): NONE APPEARING

COUNSEL FOR DEFENDANT(S): NONE APPEARING

MINUTE ORDER IN CHAMBERS:

Before the court is Plaintiff's "Motion to Allow Service of Subpoenas at Defendants' Expense or to allow Service by Certified Mail." (Doc. # 203.) No response to the motion has been filed.

Although Plaintiff acknowledges that this court's order (Doc. # 18) granting him *in forma pauperis* status does not extend to the issuance of subpoenas at government expense, he nonetheless seeks an order that he be "allowed to serve subpoenas at the Defendant (sic) expense, or be allowed to complete service by certified mail." (Doc. # 203 at 1-2.) However, Plaintiff does not state what the subpoenas are for, to whom they will be directed and what he expects to obtain (e.g., testimony, documents, etc.). The law does not provide a basis for the court to issue subpoenas to unnamed personnel for unidentified purposes. The docket in this matter reflects that discovery closed on May15, 2015, and a trial is not set.¹

Plaintiff's motion (Doc. # 203) is **DENIED**.

IT IS SO ORDERED.

LANCE S. WILSON, CLERK

By: /s/
Deputy Clerk

¹The Ninth Circuit Court of Appeals has stated that "28 U.S.C. § 1915, the *in forma pauperis* statute, does not waive payment of fees or expenses for witnesses." *Dixon v. Yist*, 990 F.2d 478, 480 (9th Cir. 1993) (citing *Tedder v. Odel*, 890 F.2d 210, 211-12 (9th Cir. 1989). Therefore, if and when a trial has been set, it would be Plaintiff's responsibility to serve the trial subpoenas and to tender the appropriate witness fees.